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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,049	07/31/2003	Linda Benhase	TUC920020093US1	3583
46917 7590 06/22/2007 KONRAD RAYNES & VICTOR, LLP. ATTN: IBM37 315 SOUTH BEVERLY DRIVE, SUITE 210 BEVERLY HILLS, CA 90212			EXAMINER BRUCKART, BENJAMIN R	
			ART UNIT 2155	PAPER NUMBER
			MAIL DATE 06/22/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Interview Summary

Application No.

10/633,049

Applicant(s)

BENHASE ET AL.

Examiner

Benjamin R. Bruckart

Art Unit

2155

All participants (applicant, applicant's representative, PTO personnel):

(1) Benjamin R. Bruckart.

(3) \_\_\_\_\_

(2) Janaki K. Davda.

(4) \_\_\_\_\_

Date of Interview: 13 June 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 1, 9, 10 and 22.

Identification of prior art discussed: Hemphill et al.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.


Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The examiner thanks applicant for a well prepared and excellent agenda. The applicant and examiner discusses the proposed amendments to claims 1, 9, 10 and 22. With regard to claim 1, the examiner suggested slight rewording for clarification of "the other server" to "different from the first server process" and then in keeping with "process" in the following limitations. With regard to claim 22, the amendment looks to overcome the 101 rejection with limitations directed to how the article of manufacture is embodied on computer readable medium. Claims 9 and 10 were clear and understood by the examiner. .

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**FAX COVER SHEET****PLEASE DELIVER THIS FACSIMILE  
TO EXAMINER BENJAMIN R. BRUCKART**

TO: Commissioner for Patents  
Attn: Examiner Benjamin R. Bruckart  
Group Art Unit: 2155

FROM: Janaki K. Davda  
OUR REF: 0022.0029  
TELEPHONE: 310-556-7983

Total pages, including cover letter: 6

**PTO FAX NUMBER: 1-571-273-3982**

If you do NOT receive all of the pages, please telephone us at 310-556-7983, or fax us at 310-556-7984.

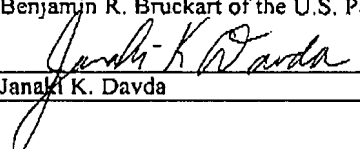
Description of Documents Transmitted:

**INFORMAL/DRAFT COMMUNICATION**  
**- DO NOT ENTER INTO PROSECUTION**  
**RECORD: PROPOSED AGENDA FOR**  
**INTERVIEW**

Applicant: L. BENHASE et al.  
Serial No.: 10/633,049  
Filed: July 31, 2003  
Group Art Unit: 2155  
Docket No.: TUC920020093US1

**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being transmitted by facsimile to Examiner Benjamin R. Bruckart of the U.S. Patent and Trademark Office on June 11, 2007.

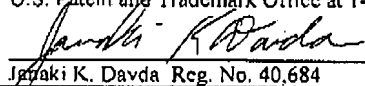
  
Janaki K. Davda

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	L. BENHASE et al.	Examiner	Benjamin R. Bruckart
Serial No.	10/633,049	Group Art Unit	2155
Filed	July 31, 2003	Docket No.	TUC920020093US1
TITLE	METHOD, SYSTEM, AND PROGRAM FOR DUAL AGENT PROCESSES AND DUAL ACTIVE SERVER PROCESSES		

**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being transmitted by facsimile to Joshua D. Campbell of the U.S. Patent and Trademark Office at 1-571-273-3982 on June 11, 2007.

  
Janaki K. Davda Reg. No. 40,684

**INFORMAL/DRAFT COMMUNICATION -**  
**DO NOT ENTER INTO PROSECUTION RECORD:**  
**PROPOSED AGENDA FOR INTERVIEW**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This agenda is being submitted prior to a telephone interview.

The tentative participants are Examiner Bruckart and Janaki K. Davda.

The proposed date of Interview is Wednesday, July 13, 2007. The proposed time is 3:00 p.m. (EST).

A telephone interview is requested.

No exhibit will be shown.

Applicants would like to discuss proposed claim amendments to claims 1, 9, 10, and 22.

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Firm No. 0022.0029

## Proposed Claim Amendments

1. (Original) A system, comprising:

at least two server processes adapted to perform tasks issued by a browser;

~~a cluster~~ a server system comprising two clusters;

wherein each of the two clusters includes:

a first agent process at the cluster that is registered with a server process to notify the server process that the first agent process exists to perform tasks for the server process to complete the tasks issued by the browser; and

a second agent process at the cluster that is registered with another server process to notify the other server process that the second agent process exists to perform tasks for the other server process to complete the tasks issued by the browser;

wherein when one of the first agent and the second agent fails, the other of the first agent and the second agent continues processing in the cluster; and

wherein when one of the clusters fails, the other cluster continues processing in the server system.

~~a first server process with which the first agent process is registered; and~~

~~a second server process with which the second agent process is registered.~~

9. (Currently Amended) The system of claim 1, wherein the first agent process is launched at the cluster and wherein the second agent process is launched at the cluster and further comprising:

means for collecting configuration information, including how many storage devices are in the cluster, and state information, including whether each storage device is available or unavailable;

means for storing the configuration and state information as persistent data at the cluster;  
under control of the first agent process,

(i) means for retrieving stored configuration and state information; and

(ii) means for transmitting the retrieved configuration and state information to the first server process; and

under control of the second agent process,

(i) means for retrieving stored configuration and state information; and

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(ii) means for transmitting the retrieved configuration and state information to the second server process.

10. (Currently Amended) The system of claim 1, wherein the first agent process [[is]] and the second agent process are launched at ~~the cluster~~ at one of the clusters at which the first agent process is registered with a first server process and the second agent process is registered with a second agent process, and further comprising:

means, under control of a driver, for broadcasting one of changed configuration information and changed state information for the cluster, wherein the configuration information includes how many storage devices are in the cluster, and wherein the state information includes an indication of whether each storage device is available or unavailable; and

under control of the first agent process and the second agent process.

\_\_\_\_\_ means for receiving at least one of changed configuration information and changed state information for the cluster; and

\_\_\_\_\_ means for storing the at least one of changed configuration information and state information as persistent data at the cluster; [[and]]

under control of the first agent process,

(i) means for retrieving the stored at least one of changed configuration information and state information; and

(ii) means for transmitting the retrieved at least one of changed configuration information and state information to the first server process; and

under control of the second agent process.

(i) means for retrieving the stored at least one of changed configuration information and state information; and

(ii) means for transmitting the retrieved at least one of changed configuration information and state information to the second server process.

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22. (Currently Amended) An article of manufacture comprising a computer readable storage medium for task processing and monitoring of configuration and state information, wherein the article of manufacture is capable of causing operations to be performed, the operations comprising:

- detecting a first server and a second server;
- registering a first agent process with a first server process at the first server;
- registering a second agent process with a second server process at the second server;
- when a task is to be executed by the first server process, executing the task with the first agent process; and
- when the task is to be executed by the second server process, executing the task with the second agent process.



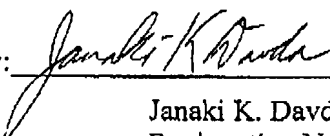
Dated June 11, 2007

Serial No. 10/633,049  
Docket No. TUC920020093US1  
Firm No. 0022.0029

## REMARKS/ARGUMENTS

Applicants would like to discuss the proposed claim amendments and the rejection of claim 22 under 35 U.S.C. 101; the rejection of claims 1 and 9 under 35 U.S.C. 102(b) citing U.S. Patent No. 5,696,895 by Hemphill et al.; and the rejection of claim 10 under 35 U.S.C. 103 citing U.S. Patent No. 5,696,895 by Hemphill et al. in view of U.S. Patent No. 6,108,699 by Mojin.

Dated: June 11, 2007

By:   
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